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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/762,523

01/23/2004

Byung-rae Lee

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SUGHRUE MION, PLLC  
2100 PENNSYLVANIA AVENUE, N.W.  
SUITE 800  
WASHINGTON, DC 20037

EXAMINER

PATEL, NIRAV B

ART UNIT

PAPER NUMBER

2135

MAIL DATE

DELIVERY MODE

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<p align="center"><b>Advisory Action</b> <b>Before the Filing of an Appeal Brief</b></p>	<b>Application No.</b> 10/762,523	<b>Applicant(s)</b> LEE ET AL.	
	<b>Examiner</b> NIRAV PATEL	<b>Art Unit</b> 2135	

**--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

THE REPLY FILED 11 July 2008 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires \_\_\_\_\_ months from the mailing date of the final rejection.  
 b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on \_\_\_\_\_. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

#### AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because  
 (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);  
 (b) ☐ They raise the issue of new matter (see NOTE below);  
 (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  
 (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).  
 5. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.  
 6. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  
 7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  
 The status of the claim(s) is (or will be) as follows:  
 Claim(s) allowed: None.  
 Claim(s) objected to: None.  
 Claim(s) rejected: 1-33.  
 Claim(s) withdrawn from consideration: None.

#### AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).  
 9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).  
 10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

#### REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:  
See Continuation Sheet.  
 12. ☐ Note the attached Information *Disclosure Statement*(s). (PTO/SB/08) Paper No(s). \_\_\_\_\_.  
 13. ☐ Other: \_\_\_\_\_.

/Nasser G Moazzami/  
 Supervisory Patent Examiner, Art Unit 2136

Continuation of 11. does NOT place the application in condition for allowance because: Applicant's arguments filed July 11, 2008 have been fully considered but they are not persuasive.

Applicant argues that:

"Safadi does not teach or suggest that the server performs communication relating to services with the corresponding DRM server group according to the DRM solution of the received multimedia contents".

Examiner disagrees with applicant's remark, since Safadi's invention relates to the field of digital communications and more particularly, relates to digital rights management (DRM) of content provided over a digital communication network. The invention enables digital rights management of content from a plurality of content providers so that content protected by various DRM schemes is downloaded, played and/or viewed from a single consumer device. As shown in Fig. A DRM proxy device (120) for receiving content from one of a plurality of a content providers (DRM server groups) having disparate DRM schemes, while maintaining a consistent DRM scheme on the operator's network and the consumer devices associated therewith. A processor (110) is provided for converting the original DRM scheme to a native DRM scheme which is compatible with a consumer device used to process the content. The content is securely delivered to the consumer device over a second network using the native DRM scheme via the DRM proxy device. The DRM proxy receives a request made via the consumer device for specific content over the second network and forwards the request to the content provider over the first network. The DRM proxy device receives the requested content from the content provider(s) and the processor repackages the content with the native DRM scheme for secure delivery to the consumer device via the DRM proxy device over the second network. The processor processes DRM data of the original DRM scheme (corresponding to content provider) and decrypts the content in accordance with this data. The content is then re-encrypted and transmitted to the consumer device. In this case, Safadi teaches the claim subject matter and therefore anticipate claim 1. Based on the reason above, Examiner maintains the rejection, however, if the applicant believes that the pending claims are distinct from the cited prior art, applicant needs to further explain distinguish between the claim limitation and the prior art or further clarify the claim limitation.

Regarding to applicant's argument to claim 2, Examiner maintains, since Safadi teaches, the DRM proxy device receives the requested content from the content provider(s) and the processor repackages the content with the native DRM scheme for secure delivery to the consumer device via the DRM proxy device over the second network. The processor processes DRM data of the original DRM scheme (corresponding to content provider) and decrypts the content in accordance with this data. The content is then re-encrypted and transmitted to the consumer device. In this case, Safadi teaches the conversion mechanism as claimed. Also, Safadi discloses re-encrypting the converted content and transmitting the converted content in a secure manner. Further, in an analogous art, Russ teaches logic for implementing the encryption of information transmitting to the client receiver. Therefore, the combination teaches the claim limitation and the combination is sufficient.

The Applicant is reminded that additional modification to clarify the claimed language is necessary for further consideration and distinction from the prior art.